

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NATHAN JOHNSON, )  
Plaintiff, ) No. CV-08-0284-JPH  
v. ) ORDER GRANTING STIPULATED  
MICHAEL J. ASTRUE, ) MOTION FOR REMAND  
Commissioner of Social )  
Security, )  
Defendant. )

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The parties have filed a stipulated motion for remand of this case to the Commissioner for further administrative proceedings. (Ct. Rec. 15). The parties have filed a consent to proceed before a magistrate judge. (Ct. Rec. 8).

After considering the stipulation, **IT IS ORDERED** that the above-captioned case be remanded for a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Administrative Law Judge will: (1) re-evaluate whether plaintiff can perform his past relevant work, and, if necessary, obtain supplemental evidence from a vocational expert and, if necessary, obtain supplemental evidence from a vocational expert regarding plaintiff's ability to perform his past relevant work or other

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FOR ORDER TO REMAND - 1

1 work in the national economy.

2 This remand is pursuant to sentence four of 42 U.S.C. §  
3 405(g) with a remand of the cause to the Commissioner for further  
4 proceedings. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

5 Accordingly, this court **reverses** the Commissioner's decision.

6 **IT IS FURTHER ORDERED:**

7 1. The parties' stipulated motion for an order of remand  
8 (**Ct. Rec. 15**) is **GRANTED**.

9 2. Judgment shall be entered for the **PLAINTIFF**.

10 3. An application for attorney fees and costs may be  
11 filed by separate motion.

12 4. The District Court Executive is directed to enter  
13 this Order, forward copies to counsel, and **close** this file.

14 **IT IS SO ORDERED.**

15 **DATED** this 20<sup>th</sup> day of April, 2009.

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17 *s/James P. Hutton*  
18 JAMES P. HUTTON  
19 UNITED STATES MAGISTRATE JUDGE  
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